



CITY OF FORT LAUDERDALE

**SPECIAL MAGISTRATE HEARING
1st FLOOR COMMISSION CHAMBERS
FORT LAUDERDALE CITY HALL
MARK PURDY PRESIDING
NOVEMBER 19, 2020
8:30 A.M.**

Staff Present:

Mary Allman, Administrative Assistant
Christina Chaney, Administrative Assistant
Loen Garrick, Administrative assistant
Crystal Green-Griffith, Administrative Assistant
Katrina Jordan, Administrative Services Supervisor
Reginald White, Code Compliance Supervisor
Porshia Williams, Code Compliance Manager
Antonio Wood, Administrative Assistant
Rhonda Hasan, Assistant City Attorney
Stephanie Bass, Code Compliance Supervisor
Gustavo Caracas, Code Compliance Officer
Leonard Champagne, Senior Code Compliance Officer
Paulette DelGrosso, Code Compliance Officer
James Fetter, Code Compliance Officer
Deanglis Gibson, Code Compliance Officer
Linda Holloway, Senior Code Compliance Officer
Patrice Jolly, Code Compliance Officer
Michael Jordan, Code Compliance Officer
Captain Robert Kisarewich, Fire Safety Captain
Dorian Koloian, Senior Code Compliance Officer
Wilson Quintero Sr., Senior Code Compliance Officer
Mike Sanguinetti, Code Compliance Officer
Will Snyder, Code Compliance Officer
Lois Turowski, Code Compliance Officer
Gail Williams, Code Compliance Officer

Respondents and witnesses

CE20021037: Mary Beth Nielsen, owner
FC20100022: Daphne Jones, attorney
CE19071855: Omar Giraldo, attorney
CE18100411; CE18100410: Courtney Crush, attorney
CE19100069: ; Ryan Abrams, attorney
CE19081835; CE19061667: Juan Valdes, attorney
CE20020703: Jason Souwed, owner
CE18030099: Alyse Lemstrom
CE20090759: Jeffrey Camp, owner
CE20080053: Michael Gigler, owner
CE22070732: Tim Sweetman, power of attorney
CE20071039: Kevin Jackson, attorney
CE20071071; CE20071242: Nancy Elder, owner
CE20010906: Daniel Pacella, owner
CE18121594; CE18120868: Charles Seeds
CE20071067; CE20071069: Shelly Grant, owner
CE19020960; CE18071161; CE1081968: Carly Kliger, attorney; Albert Bret DeCapito, owner
CE18081609: Frederick Walters, owner; Garry Moses, neighbor
CE20060050: Amadeo Tanaglia, owner; James Facciolo, attorney

NOTE: All individuals who presented information to the Special Magistrate during these proceedings were sworn in.

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The meeting was called to order at 8:43 A.M.

Case: CE20090759

1620 NE 5 CT

Owner: CAMP, JEFFREY D

Service was via posting at the property on 10/28/20 and at City Hall on 11/5/20.

Paulette DelGrosso, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 18-1.

THERE IS A VIOLATION AT THIS PROPERTY THAT IS CREATING A PUBLIC NUISANCE. IT IS BEING MAINTAINED IN SUCH A MANNER THAT THE PROPERTY IS OR MAY REASONABLY BECOME INFESTED OR INHABITED BY RODENTS, VERMIN OR WILD ANIMALS, OR MAY FURNISH A BREEDING PLACE FOR MOSQUITOS, OR THREATENS OR ENDANGERS THE PUBLIC HEALTH, SAFETY OR WELFARE OR MAY ADVERSELY AFFECT AND IMPAIR THE ECONOMIC WELFARE OF ADJACENT PROPERTIES. THERE IS DEBRIS LEFT IN THE FRONT YARD. THE BACKYARD IS OVERGROWN.

Officer DelGrosso presented the case file into evidence and recommended ordering compliance within 10 days or a fine of \$150 per day.

Jeffrey Camp, owner, said he was awaiting the outcome of an insurance claim and he had been told not to disrupt anything that could be considered evidence. He admitted that this did not pertain to items in the yard. He stated he was making progress on the yard.

Judge Purdy found in favor of the City and ordered compliance within 10 days or a fine of \$150 per day.

Mr. Camp left the meeting unexpectedly and rejoined some time later.

Mr. Camp requested an extension to December 10, the next bulk pickup date.

Officer DelGrosso said Mr. Camp had informed her that he had Covid-19 and she had therefore not met with him on-site. She said there was a copious amount of clutter and overgrowth which she did not feel could be removed in just one bulk pickup; he would need to have some material hauled away at his own expense. Mr. Camp stated he would send some material to Illinois and the rest could be removed in one bulk trash pickup.

Judge Purdy reiterated his ruling to find in favor of the City and ordered compliance within 10 days or a fine of \$150 per day.

Case: CE20071039

1730 SE 13 ST

Owner: LUCKY PONCHO INVESTMENTS LLC

Service was via posting at the property on 10/15/20 and at City Hall on 11/5/20.

Lois Turowski, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 47-19.1.C.

THERE ARE BOATS DOCKED AT THIS VACANT LOT. THERE IS NO PRIMARY USE FOR THIS PROPERTY.

Officer Turowski presented the case file into evidence.

Kevin Jackson, attorney, said they intended to build a new home on the vacant lot. The owner acknowledged he must move the boat but was having difficulty finding a place. He requested 90 days.

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Officer Turowski recommended ordering compliance within 35 days or a fine of \$100 per day.

Judge Purdy found in favor of the City and ordered compliance within 35 days or a fine of \$100 per day.

Case: CE19081835

1113 NW 11 PL

Owner: KAPPA HOMES LLC

This case was first heard on 1/16/20 to comply by 1/26/20. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$12,300 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Linda Holloway, Senior Code Compliance Officer, recommended imposition of the fines.

Juan Valdes, attorney, said Kappa Homes purchased the property through foreclosure in March 2020 but the prior owner's son had been squatting on the property and would not allow access. The eviction had been delayed due to the Covid-19 pandemic. After the son was removed, his client had acted to comply the violation. Mr. Valdes explained that FPL had cut power to the property so his client was maintaining the pool manually. The electricity should be turned on again in January 2021. He asked that the fine be abated.

Officer Holloway stated she had been granted access to the property to inspect in February. She added that the pool could be covered if the pump could not be turned on.

Judge Purdy imposed the \$12,300 fine, which would continue to accrue until the property was in compliance.

Case: CE19061667

1113 NW 11 PL

Owner: KAPPA HOMES LLC

This case was first heard on 1/16/20 to comply by 1/26/20 and 2/20/20. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$24,500 and the City was requesting the full fine be imposed.

Gustavo Caracas, Code Compliance Officer, confirmed the case was in compliance and recommended reducing the fine to 20% of the total: \$4,900.

Juan Valdes, attorney, said the first hearing happened prior to his client's purchase of the property and compliance was hindered by the squatter on the property. Officer Caracas stated he had been in contact with both the current owner and the contractor several times to explain what must be done to comply.

Judge Purdy imposed a fine of \$4,900 for the time the property was out of compliance.

Case: CE19071855

521 SW 10 ST

Owner: VISRAM, SABRINA H/E VISRAM, AZIM

This was a request to vacate the order dated 9/23/20 and to re-hear the case.

This case was first heard on 11/7/19 to comply by 11/21/19. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$5,800 and the City was requesting the full fine be imposed.

Gail Williams, Code Compliance Officer, recommended imposition of the fine.

Omar Giraldo, attorney, said the owner had not been aware that a fine was accruing. He said the owner had obtained documentation from an arborist indicating the tree presented a danger to persons or property, which, per Florida Statute 163.045, stated the City "may not require...permit fee, mitigation for pruning or removal of a tree on residential property."

He requested the fine be vacated.

Judge Purdy vacated the order dated 9/23/20.

Ms. Hasan read the State Statute and said it meant that the City could not charge a fee, require a permit or require a tree to be replanted if that documentation was provided. It did not say the City could not issue a Notice of Violation.

Mr. Giraldo stated his client had received a letter from the City indicating the case was closed.

Officer Williams said she had not received the arborist's letter and Mr. Giraldo indicated it had been sent to Christie McCullough. He agreed to send the information he had to Officer Williams.

The case was put on recall to allow Mr. Giraldo to send the information.

Upon returning to the case, Officer Williams said she had located the arborist's letter that had been sent to the Landscape Department indicating the risk posed by the tree, so no permit was required. She recommended reducing the fines to \$626 to cover administrative costs. Officer Williams stated the case was opened on November 7, 2019 and the arborist's letter was received on March 24, 2020. Mr. Giraldo wanted to know when the administrative costs had accrued.

Judge Purdy imposed a fine of \$626 for the time the property was out of compliance.

Case: CE-20010906

2617 NE 26 TER

Owner: PACELLA, DANIEL J; PACELLA, NICHOLE L

Service was via posting at the property on 11/2/20 and at City Hall on 11/5/20.

Deanglis Gibson, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 47-19.2.Q

THIS IS A RS-4.4 ZONED SINGLE-FAMILY PROPERTY. THERE IS A FLAGPOLE
THAT HAS BEEN ERECTED WITHOUT A PERMIT IN THE PUBLIC RIGHT-OF-WAY.

47-19.2.Q. **WITHDRAWN**

Officer Gibson presented the case file into evidence and recommended ordering compliance within 10 days or a fine of \$25 per day.

Daniel Pacella, owner said several inspectors had visited the property and determined there was no violation. He said this was harassment because of his political views.

Officer Gibson explained that this was a telescoping flagpole base, and even when the flag was not displayed, the base was permanently located in the City's right-of-way. Mr. Pacella stated he did not "believe" the pole was in the right-of-way.

Judge Purdy found in favor of the City and ordered compliance within 10 days or a fine of \$25 per day.

Case: CE18081609

4721 BAYVIEW DR

Owner: WALTERS, FREDERICK L

This case was first heard on 9/9/20 to comply by 10/10/20. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$4,650 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Wilson Quintero, Senior Code Compliance Officer, said the owner had indicated he was working toward compliance and recommended imposition of the fines.

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Frederick Walters, owner, said the rain had delayed progress but the tree company would come to the property on Saturday.

Garry Moses, neighbor, said the owner had ignored the City's directives for years. He said one tree from Mr. Walters's property had already fallen on Mr. Moses's property and the debris remained. He requested the maximum fine be imposed.

Judge Purdy imposed the \$4,650 fine.

Case: CE20060050

CITATION

4771 BAYVIEW DR

Owner: TENAGLIA, AMADEO; TENAGLIA, MARIA ELIZABETH

This case was first cited on 6/30/20 to comply by 7/5/20. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$28,000 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Deanglis Gibson, Code Compliance Officer, said the owner had not responded to many attempts to contact him and there had been several complaints from neighbors. He recommended imposition of the fines.

James Facciolo, attorney, said the owner was 88 years old. He stated the property tenants had been sub-letting the property and been notified of the violations by the owner's daughter. The tenants had assured the owner that they were in compliance even though they were not. Mr. Facciolo had begun eviction proceedings against the tenants and requested time for this to be accomplished. He thought they would have a writ of possession within two weeks.

Ms. Hasan remarked that property owners were ultimately responsible for their tenants and the appeal deadline for his case had been in July. This case had been brought while vacation rentals were prohibited because of the pandemic but the property was still being advertised.

Officer Gibson stated he had not been contacted by anyone until Mr. Facciolo did so on Monday. The owner needed to shut down the vacation rental advertising and provide an affidavit stating the property was not being used as a short-term rental.

Judge Purdy granted a 7-day extension, during which time no fines would accrue.

The following three cases for the same owner were heard together:

Case: CE18071161

ORDERED TO REAPPEAR

3204 DAVIE BLVD

Owner: SARRIA HOLDINGS II INC

This case was first heard on 8/13/20 to comply by 11/19/20. Violations and extensions were as noted in the agenda. The property was not in compliance, and fines would begin on 11/20/20.

Reginald White, Code Compliance Supervisor, said there had been significant improvement at the property and he would not object to a 35-day extension.

Carly Kliger, attorney, agreed that they had made significant progress. She stated the recent heavy rains had caused some delays.

Judge Purdy granted a 54-day extension, during which time no fines would accrue and ordered the respondent to attend the 1/12/21 hearing.

Case: CE18081968

ORDERED TO REAPPEAR

3300 DAVIE BLVD

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Owner: SARRIA HOLDINGS II INC

This case was first heard on 8/13/20 to comply by 11/19/20. Violations and extensions were as noted in the agenda. The property was not in compliance, and fines would begin on 11/20/20.

Judge Purdy granted a 54-day extension, during which time no fines would accrue and ordered the respondent to attend the 1/12/21 hearing.

Case: CE19020960

ORDERED TO REAPPEAR

3200 DAVIE BLVD

Owner: SARRIA HOLDINGS II INC

This case was first heard on 8/13/20 to comply by 11/19/20. Violations and extensions were as noted in the agenda. The property was not in compliance, and fines would begin on 11/20/20.

Judge Purdy granted a 54-day extension, during which time no fines would accrue and ordered the respondent to attend the 1/12/21 hearing.

Case: CE20080053

1711 SW 23 ST

Owner: GIGLER, MIKE

Service was via posting at the property on 10/19/20 and at City Hall on 11/5/20.

Mike Sanguinetti, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS : 9-280(h)(1)

THE FENCE AT THIS PROPERTY IS IN DISREPAIR AND IS NOT BEING MAINTAINED
AS REQUIRED.

Officer Sanguinetti presented the case file into evidence and recommended ordering compliance within 21 days or a fine of \$50 per day.

Michael Gigler, owner, said he could not afford to replace the fence and intended to remove it. He stated the recent rains had hampered his progress and requested more time to finish.

Judge Purdy found in favor of the City and ordered compliance within 21 days or a fine of \$50 per day.

Case: FC20100010

5555 N FEDERAL HWY

Owner: CORAL RIDGE PRESBYTERIAN CHURCH INC

Personal service was made on 11/2/20. Service was also via posting at City Hall on 11/5/20.

Captain Robert Kisarewich, Fire Inspections Officer, testified to the following violation(s):

VIOLATIONS: NFPA 101:7.2.2.5.3.1 **WITHDRAWN**

NFPA 1:13.3.3.3, FFP **WITHDRAWN**

1:14.4.1, FFPC 6th e **WITHDRAWN**

NFPA 1:1.12.1, FFPC **WITHDRAWN**

1:13.3.1.1, FFPC 6th

THE FIRE SPRINKLER SYSTEM IS IN NEED OF SERVICE.

Captain Kisarewich presented the case file into evidence and said the system had been red-tagged.

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A church representative stated the issue was the 160 exterior heads that needed replacing. They planned to demolish the existing building and break ground in June 2022 to redevelop the property and therefore did not want to pay to replace these heads now. Captain Kisarewich explained why some exterior areas were required to have sprinklers and the representative said the outside uses had changed.

Ms. Hasan said she would not be comfortable ignoring inoperable sprinkler heads for 18 months and did not feel the City could say it was permissible to wait for this future demolition. This was a critical life safety component. She said if the building were not occupied, this would be different.

Captain Kisarewich explained that a red tag indicated that there were deficiencies that would prevent the system from operating properly. He recommended the owner move ahead with another sprinkler contractor and correct the items outside the scope of the heads and provide an update in 60 days. If they produced a report that the other violations had been cleared, they could discuss the remaining violations. If the representative failed to appear, he recommended a \$100 per day fine.

Judge Purdy found in favor of the City and ordered compliance within 82 days or a fine of \$100 per day and ordered the respondent to attend the 2/9/21 hearing.

Case: FC20100022

510 NW 7 AVE

Owner: MJDC AOA LLC

%MILTON JONES DEV CORP

Personal service was made on 11/2/20. Service was also via posting at City Hall on 11/5/20.

Captain Robert Kisarewich, Fire Inspections Officer, testified to the following violation(s):

VIOLATIONS: NFPA 1:4.5.8.1, FFPC

THE FIRE ALARM IS NOT FUNCTIONING AS DESIGNED AND INSTALLED.

NFPA 25:13.6.2.1, 20 **COMPLIED**

1:13.3.1.1, FFPC 6th

THE FIRE SPRINKLER SYSTEM IS IN NEED OF SERVICE.

Captain Kisarewich presented the case file into evidence.

Daphne Jones, attorney, said the Notice of Violation had been sent to the tenant. The owner had received a Notice of Violations approximately three weeks ago and would take responsibility if the tenant did not. She requested 60-90 days.

Captain Kisarewich recommended ordering compliance within 35 days or a fine of \$100 per day, per violation. Ms. Jones said there was often a delay in obtaining parts for this system, so she felt 35 days would not be sufficient time. Captain Kisarewich wanted to allow 35 days, by which time they would know if the tenant was being responsible and if the parts would take a long time to obtain.

Judge Purdy found in favor of the City and ordered compliance within 35 days or a fine of \$100 per day, per violation.

Case: CE18120868

2800 W BROWARD BLVD

Owner: TWELVE SAC SELF-STORAGE CORP

This case was first heard on 5/16/19 to comply by 11/14/19. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$1,000 and the City was requesting the full fine be imposed.

Dorian Koloian, Senior Code Compliance Officer, recommended imposition of the fine.

Charles Seeds said they spent a lot to get the property up to code.

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Judge Purdy imposed the \$1,000 fine.

Case: CE18121594

2800 W BROWARD BLVD, # 2

Owner: TWELVE SAC SELF-STORAGE CORP

This case was first heard on 5/16/19 to comply by 11/14/19. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$9,400 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Dorian Koloian, Senior Code Compliance Officer, recommended imposition of the fines, which would continue to accrue.

Charles Seeds said they had applied for permits in March and they had been approved in October. The contractor was in the process of pulling an MOT permit and requested six months.

Officer Koloian said this case was almost two years old and the remaining violations concerned a lack of ground cover and a cracked sidewalk. She reiterated her request for imposition of the fines.

Judge Purdy imposed the \$9,400 fine, which would continue to accrue until the property was in compliance.

Case: CE18100410

608 BREAKERS AVE

Owner: SEAWIND PLAZA LLC

This case was first heard on 2/7/19 to comply by 3/14/19. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$22,000 and the City was requesting the full fine be imposed.

Will Snyder, Code Compliance Officer, recommended imposition of the fines.

Courtney Crush, attorney, requested a fine reduction, explaining that the property had gone through a change of use process that had taken two years. She said the business tax applications had been put on hold until corrective work was done. She said it had been unclear what needed to be done to comply and ultimately one of the retail spaces had not opened.

Officer Snyder agreed there had been indecision on the City's part regarding the need for a permit and in light of this, he recommended reducing the fines to \$6,250.

Judge Purdy imposed a fine of \$6,250 for the time the property was out of compliance.

Case: CE18100411

600 BREAKERS AVE

Owner: SEAWIND PLAZA LLC

This case was first heard on 2/7/19 to comply by 3/14/19. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$31,300 and the City was requesting the full fine be imposed.

Will Snyder, Code Compliance Officer, recommended reducing the fine to \$5,040.

Judge Purdy imposed a fine of \$5,040 for the time the property was out of compliance.

Case: CE19100069

625 CORAL WAY

Ordered To Reappear

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Owner: VALERIO, THOMAS A

This case was first heard on 2/6/20 to comply by 3/12/20. Violations and extensions were as noted in the agenda. The property was not in compliance, and fines had accrued to \$6,600.

Will Snyder, Code Compliance Officer, recommended imposition of the fines.

Ryan Abrams, attorney, was not aware that a fine had accrued. He said they already had a County environmental permit and had applied for a City permit. They hoped the City permit would be issued in the next week and they would break ground.

Officer Snyder said fines had accrued from 3/12/20 to 3/16/20 and from 9/4/20 10/14/20. He said the property was not in compliance with the issuance of a permit; the dock must be repaired to comply.

Ms. Jordan stated that no fines had actually accrued and Judge Purdy agreed.

Stephanie Bass, Code Compliance Supervisor recommended no further extension be granted.

Judge Purdy did not grant an extension.

Case: CE20020703

CITATION

1321 NW 7 AVE

Owner: SOUWED, JASON

This case was first cited on 8/27/20 to comply by 9/1/20. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$7,000 and the City was requesting the full fine be imposed.

Patrice Jolly, Code Compliance Officer, recommended imposition of the fines

Jason Souwed, owner, said as soon as he received the Notice of Violation, he had notified the tenant, but they had not ceased renting the property until he hired an attorney. Officer Jolly agreed that Mr. Souwed had contacted him immediately and that the tenant had not registered the property as a vacation rental. Mr. Souwed said it was impossible to get a writ of possession because the Sheriff's office was not serving eviction notices.

Judge Purdy imposed a fine of \$1,000 for the time the property was out of compliance.

Case: CE20070732

CITATION

1723 N FORT LAUDERDALE BEACH BLVD

Owner: WINSTON, ERIC J; WINSTON, JENNIFER S

This case was first cited on 7/21/20 to comply by 7/27/20. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$4,800 and the City was requesting the full fine be imposed.

Tim Sweetman, power of attorney, said the property had changed management during the pandemic. He requested leniency.

Judge Purdy imposed a fine of \$2,400 for the time the property was out of compliance.

Case: CE20071067

CITATION

2810 NE 60 ST

Owner: ES KAVELL CORP

This case was first cited on 7/25/20 to comply by 7/25/20. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$5,000 and the City was requesting the full fine be imposed.

Patrice Jolly, Code Compliance Officer, recommended imposition of the fines.

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Shelly Grant, owner, said no tenant had occupied the house since the first hearing. She said she had changed the occupancy on August 7, 2020. Officer Jolly said the violations existed from July 25 until August 5, when the violation was complied.

Ms. Hasan noted that this was a citation, and the appeal deadline for both cases was August 9. After that, the owner had no ability to contest the citations.

Ms. Grant requested a reduction of the fine.

Judge Purdy imposed a fine of \$1,000 for the time the property was out of compliance.

Case: CE20071069

CITATION

2810 NE 60 ST

Owner: ES KAVELL CORP

This case was first cited on 7/25/20 to comply by 7/25/20. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$2,000 and the City was requesting the full fine be imposed.

Judge Purdy imposed a fine of \$1,000 for the time the property was out of compliance.

Case: CE20050773

CITATION

412 SE 32 ST

Owner: 3131 SE 6 AVE LLC

This case was first cited on 5/30/20 to comply by 5/31/20. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$6,500 and the City was requesting the full fine be imposed.

James Fetter, Code Compliance Officer, stated on 6/20/20, the bar was still open and on reinspection on 6/27/20, he had informed the bar that they must close, which the business did.

The bar owner referred to the citation and said this was a restaurant according to the City and County, and restaurants were allowed to be open during this period. He stated he was forced to pay for a "Food Hygiene Permit" from the County and a "Restaurant Tax License" from the City, proving this was a restaurant.

Officer Fetter said this establishment received less than 50% of its revenue from food, so it was not a restaurant eligible to be open. Per the Emergency Order, bars were not allowed to open until October 1, but the bar had been open from the date of citation until June 27.

Ms. Hasan said because this was as citation, there was an appeal deadline, which was June 14, 2020 and no appeal had been filed. The only question now was the imposition of the fine.

Judge Purdy imposed a fine of \$3,000 for the time the property was out of compliance.

Case: CE18030099

1447 NW 6 ST

Owner: JAMES, LARRY G

This case was first heard on 12/5/19 to comply by 1/16/20. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$2,050 and the City was requesting the full fine be imposed.

Will Snyder, Code Compliance Officer, recommended imposition of the fines.

Alyse Lemstrom, representative, said they were in talks with the CRA to develop a plan for this property. She said the sign was part of Fort Lauderdale history. They had hired a sign restoration company to restore the sign and this was in process. She said she was unaware any fines were accruing. She requested a reduction of the fines. She discussed the difficulty they had experienced finding someone to remove and repair the sign.

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Officer Snyder acknowledged that the property was historic and noted the administrative costs totaled \$1,905.

Judge Purdy imposed a fine of \$1,000 for the time the property was out of compliance.

Case: CE20021037

304 SW 11 ST

Owner: NIELSEN, MARY BETH

Service was via posting at the property on 10/29/20 and at City Hall on 11/5/20.

Gustavo Caracas, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 9-305(b)

THE LANDSCAPE AT THIS PROPERTY IS NOT BEING MAINTAINED IN A NEAT AND WELL KEPT APPEARANCE. THERE ARE AREAS OF DEAD AND MISSING GROUND COVER, INCLUDING BUT NOT LIMITED TO THE SWALE/RIGHT-OF-WAY.

9-304(b) **COMPLIED**

47-34.4.B.1.

THERE IS OVERNIGHT PARKING OF A BOAT ON A TRAILER, A BOAT TRAILER, RECREATIONAL VEHICLE, COMMERCIAL VEHICLE(S), A MOBILE HOME, A BUS, INOPERABLE VEHICLE AND/OR WATERCRAFT IMPROPERLY PARKED/STORED AT THIS LOCATION.

9-306 **COMPLIED**

18-12(a)

THERE IS OVERGROWTH, TRASH, RUBBISH AND DEBRIS ON THIS PROPERTY AND/OR ITS SWALE.

18-4(c)

THERE IS A DERELICT VEHICLE OR TRAILER ON THE SWALE (OR) ON THE PROPERTY.

Officer Caracas presented the case file into evidence and recommended ordering compliance with 18-12(a) and 18-4(c) within 10 days and with 9-305(b) and 47-34.4.B.1. within 35 days or a fine of \$50 per day, per violation.

Mary Beth Nielsen, owner, said a previous Code Compliance Officer had told her to put gravel in the swale. Officer Caracas stated the swale required ground cover. If Ms. Nielsen wished to maintain the gravel, she should apply for a variance.

Stephanie Bass, Code Compliance Supervisor, explained how much of the property and the swale must be covered by living ground cover (or must have a variance.)

Judge Purdy found in favor of the City and ordered compliance with 18-12(a) and 18-4(c) within 10 days and with 9-305(b) and 47-34.4.B.1. within 35 days or a fine of \$50 per day, per violation.

Case: CE20071366

2656 MIDDLE RIVER DR

Owner: ALBANESE, ROBERT D

Service was via posting at the property on 11/2/20 and at City Hall on 11/5/20.

Leonard Champagne, Senior Code Compliance Officer, testified to the following violation(s):

VIOLATIONS : 9-306

THE FRONT GLASS WINDOW IS BROKEN AND/OR IN DISREPAIR. THERE ARE SECTIONS FOUND COVERED WITH TAPE.

18-12(a) **COMPLIED**

9-304(b) **COMPLIED**

Officer Champagne presented the case file into evidence and recommended ordering compliance within 14 days or a fine of \$50 per day.

Judge Purdy found in favor of the City and ordered compliance within 14 days or a fine of \$50 per day.

Case: CE20100234

319 SEVEN ISLES DR

Owner: LITTLE TIGER IV LLC

Service was via posting at the property on 11/3/20 and at City Hall on 11/5/20.

Will Snyder, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 9-308(b)

THE ROOF AT THIS PROPERTY IS STAINED WITH MILDEW.

18-12(a) **COMPLIED**

8-91.(c)

THE DOCK IS IN DISREPAIR AT THE REAR OF THIS PROPERTY. IN THIS CONDITION IT IS FOUND TO BE UNSAFE AND IN AN UNSATISFACTORY CONDITION.

Officer Snyder presented the case file into evidence and recommended ordering compliance within 63 days or a fine of \$50 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance within 63 days or a fine of \$50 per day, per violation.

Case: CE-19111014

700 E DAYTON CIR

Owner: PARENT, JEAN ROBERT

Service was via posting at the property on 10/29/20 and at City Hall on 11/5/20.

Gustavo Caracas, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 9-305(b) **COMPLIED**

9-304(b) **COMPLIED**

18-1.

THERE IS OUTDOOR STORAGE OF PERSONAL GOODS AND MATERIALS ON THE CARPORT AREA AT THIS PROPERTY THAT IS CREATING A PUBLIC NUISANCE. IT IS BEING MAINTAINED IN SUCH A MANNER THAT THE PROPERTY IS OR MAY REASONABLY BECOME INFESTED OR INHABITED BY RODENTS, VERMIN OR WILD ANIMALS, OR MAY FURNISH A BREEDING PLACE FOR MOSQUITOS, OR THREATENS OR ENDANGERS THE PUBLIC HEALTH, SAFETY OR WELFARE OR MAY ADVERSELY AFFECT AND IMPAIR THE ECONOMIC WELFARE OF ADJACENT PROPERTIES.

47-34.4.B.1.

THERE IS OVERNIGHT PARKING OF COMMERCIAL VEHICLE(S) AND/OR WATERCRAFT AT THIS LOCATION.

9-306

THE EXTERIOR BUILDING WALLS HAVE NOT BEEN MAINTAINED. STRUCTURAL PARTS INCLUDING FASCIA AND SOFFITS ARE IN DISREPAIR. THERE ARE AREAS OF THE EXTERIOR THAT HAVE STAINS AND MISSING AND PEELING PAINT.

Officer Caracas presented the case file into evidence and recommended ordering compliance within 35 days or a fine of \$50 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance within 35 days or a fine of \$50 per day, per violation.

Case: CE20060315

501 SE 21 ST

Owner: SFR 2012-1 FLORIDA LLC

Service was via posting at the property on 10/29/20 and at City Hall on 11/5/20.

Gustavo Caracas, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 9-308(a)

ROOF IS NOT IN GOOD REPAIR AND IS NOT WEATHER OR WATERTIGHT.

9-280(b)

THERE ARE BUILDING PARTS WHICH ARE DETERIORATED AND NOT MAINTAINED, INCLUDING BUT NOT LIMITED TO THE CEILING THROUGHOUT THE DWELLING UNIT.

9-280(g)

THERE ARE ELECTRICAL WIRES AND ACCESSORIES NOT MAINTAINED IN A GOOD, SAFE WORKING CONDITION, INCLUDING BUT NOT LIMITED TO WIRES EXPOSED IN THE ATTIC WHERE DAMAGE WAS DONE IN THE KITCHEN AREA.

18-1.

THERE ARE TERMITES AND RATS IN THE ATTIC OF THIS PROPERTY THAT IS CREATING A PUBLIC NUISANCE. IT IS BEING MAINTAINED IN SUCH A MANNER THAT THE PROPERTY IS OR MAY REASONABLY BECOME INFESTED OR INHABITED BY RODENTS, VERMIN OR WILD ANIMALS, OR MAY FURNISH A BREEDING PLACE FOR MOSQUITOS, OR THREATENS OR ENDANGERS THE PUBLIC HEALTH, SAFETY OR WELFARE OR MAY ADVERSELY AFFECT AND IMPAIR THE ECONOMIC WELFARE OF ADJACENT PROPERTIES. THIS IS A PUBLIC NUISANCE THAT IT MAY THREATEN OR ENDANGER THE HEALTH, SAFETY AND WELFARE OF THE OCCUPANTS OR MAY REASONABLE CAUSE DISEASES.

Officer Caracas presented the case file into evidence and recommended ordering compliance within 35 days or a fine of \$50 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance within 35 days or a fine of \$50 per day, per violation.

Case: CE20090574

1041 SW 29 ST

Owner: KNIGHT, MARY W EST

Service was via posting at the property on 10/19/20 and at City Hall on 11/5/20.

Reginald White, Code Compliance Supervisor, testified to the following violation(s):

VIOLATIONS : 9-306

THE EXTERIOR BUILDING WALLS HAVE NOT BEEN MAINTAINED. STRUCTURAL PARTS INCLUDING FASCIA AND SOFFITS ARE IN DISREPAIR. THERE ARE AREAS OF THE EXTERIOR THAT HAVE STAINS AND MISSING, PEELING PAINT.

9-308(b)

THERE IS DEBRIS, TRASH, OR ANOTHER ELEMENT WHICH IS NOT PERMANENT ON THE ROOF.

9-313.(a)

PROPERTY IS NOT IDENTIFIED BY APPROVED ADDRESS NUMBERS.

18-12(a)

THERE IS OVERGROWTH, TRASH, RUBBISH AND DEBRIS ON THIS PROPERTY AND SWALE.

Supervisor White presented the case file into evidence and recommended ordering compliance with 18-12(a) within 10 days and with the remaining violations within 21 days or a fine of \$50 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance with 18-12(a) within 10 days and with the remaining violations within 21 days or a fine of \$50 per day, per violation.

Case: FC20060013

2400 N FEDERAL HWY

Owner: JJJ REV TR, ANTWEILER, J TRUSTEE;
ROBERT RICKEL TR % EDENS ET AL.

Service was via posting at the property on 11/2/20 and at City Hall on 11/5/20.

Captain Robert Kisarewich, Fire Inspections Officer, testified to the following violation(s):

VIOLATIONS: 1:50.5.2.1, FFPC 6th **COMPLIED**

NFPA 1:50.5.6.1, FFP **COMPLIED**

1:13.3.1.1, FFPC 6th **COMPLIED**

1:13.6.4.3.2.1, FFPC

THE FIRE EXTINGUISHER(S) HAS/HAVE NOT BEEN SERVICED AND TAGGED BY A CERTIFIED PERSON/COMPANY WITHIN THE PAST 12 MONTHS.

F-103.2.5,BCBRA 3/19

UNABLE TO GAIN ENTRY TO PERFORM A FIRE SAFETY INSPECTION.

Captain Kisarewich presented the case file into evidence and recommended ordering compliance within 35 days or a fine of \$100 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance within 35 days or a fine of \$100 per day, per violation.

Case: FC20090013

3081 NW 19 ST

Owner: PERSAUD USA PROPERTY HOLDINGS LLC

Service was via posting at the property on 11/2/20 and at City Hall on 11/5/20.

Captain Robert Kisarewich, Fire Inspections Officer, testified to the following violation(s):

VIOLATIONS: 1:50.5.2.1, FFPC 6th

THE HOOD FIRE SUPPRESSION SYSTEM HAS NOT BEEN INSPECTED AND TAGGED BY A STATE LICENSED COMPANY WITHIN THE PAST 6 MONTHS.

NFPA 1:11.1.5.6, FFP **COMPLIED**

NFPA 101:7.2.1.5.3,
LOCKS PROVIDED IN THE MEANS OF EGRESS REQUIRE A KEY, TOOL OR SPECIAL
KNOWLEDGE OR EFFORT FOR OPERATION FROM THE EGRESS SIDE.

Captain Kisarewich presented the case file into evidence and recommended ordering compliance within 35 days or a fine of 100 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance within 35 days or a fine of \$100 per day, per violation.

Case: CE20021010

Vacation Rental

1740 NE 49 ST

Owner: KNEZEVIC, ANA

Certified mail was accepted on 10/17/20. Service was also via posting at City Hall on 11/5/20.

Michael Jordan, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 15-272.(a)

THIS PROPERTY IS BEING UTILIZED AS A VACATION RENTAL WITHOUT THE
REQUIRED CERTIFICATE OF COMPLIANCE FROM THE CITY.

Officer Jordan presented the case file into evidence and recommended ordering compliance within 10 days or a fine of \$500 per day.

Judge Purdy found in favor of the City and ordered compliance within 10 days or a fine of \$500 per day.

Case: CE20071071

CITATION

2070 NE 63 ST

Owner: ELDER, NANCY

This case was first cited on 7/26/20 to comply by 7/26/20. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$250 and the City was requesting the full fine be imposed.

Judge Purdy imposed the \$250 fine.

Case: CE20071242

CITATION

2070 NE 63 ST

Owner: ELDER, NANCY

This case was first cited on 7/28/20 to comply by 8/2/20. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$21,800 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Judge Purdy imposed the \$21,800 fine, which would continue to accrue until the property was in compliance.

Case: CE-19110672

660 E DAYTON CIR

Owner: ANDRE, YVROSETTE

This case was first heard on 2/6/20 to comply by 2/16/20 and 3/12/20. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$4,000 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Judge Purdy imposed the \$4,000 fine, which would continue to accrue until the property was in compliance.

Case: CE19070505

1050 NE 9 AVE

Owner: TODD ASHWORTH

This was a request to vacate the order dated 3/5/20.

Judge Purdy vacated the order dated 3/5/20.

Case: CE20100492

CITATION

436 NW 10 AVE

Owner: BAYNE, WALTER

This case was first heard on 10/14/20 to comply by 10/19/20. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$6,200 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Judge Purdy imposed the \$6,200 fine, which would continue to accrue until the property was in compliance.

Judge Purdy accepted into evidence page 32 of complied, closed, withdrawn and rescheduled cases.

Cases Complied

The below listed cases were complied since the agenda was published. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

None

Cases Rescheduled

The below listed cases were rescheduled since the agenda was published. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

None

Cases Closed

The below listed cases were closed since the agenda was published. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

None

Cases Withdrawn

The below listed cases were withdrawn since the agenda was published. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE20040420

CE19061756

Cases with No Service

The below listed cases had no service. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

None

Respondent Non-Appearance

Respondents for the below listed cases did not appear. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

None

There being no further business, the hearing was adjourned at 12:34 P.M.


Special Magistrate Hearing

November 19, 2020

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SPECIAL MAGISTRATE

ATTEST:


Clerk, Special Magistrate